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**PATENT**  
P-2821RI

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT(S): James G. Nadeau et al.

SERIAL. NO.: 09/082,247

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FILING DATE: May 20, 1998

EXAMINER: S. Houtman

FOR: DETECTION OF NUCLEIC ACID AMPLIFICATION

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**AMENDMENT PURSUANT  
TO 37 C.F.R. §1.111**

Honorable Commissioner for Patents  
Washington, D.C. 20231

Sir:

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER OF PATENTS AND TRADEMARKS, WASHINGTON, D.C. 20231	
ON:	<u>OCTOBER 3, 2001</u> (DATE OF DEPOSIT)
BY:	<u>URSULA M POLIGNONE</u> (NAME)
<u>Ursula M Polignone</u> (SIGNATURE)	<u>10/3/01</u> (DATE)

In response to the Office Action mailed on July 3, 2000 (Paper No. 10), please amend the claims as indicated, and consider the following remarks.

**In the Claims:**

Please amend claims 21 and 29 as follows:

21. (twice amended) A method for concurrently generating a secondary amplification product and an amplification product in a primer based nucleic acid amplification reaction, the method comprising:

a) hybridizing a signal primer to a target sequence and hybridizing a first amplification primer to the target sequence upstream of the signal primer, wherein a characteristic of said signal primer is that it may not function as an amplification primer;

b) extending the hybridized signal primer on the target sequence to produce a signal primer extension product and extending the hybridized first amplification primer on the target sequence such that extension of the first amplification primer displaces the signal primer extension product from the target sequence;